

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BLACK LIVES MATTER SEATTLE-KING
COUNTY, ABIE EKENEZAR, SHARON
SAKAMOTO, MURACO KYASHNA-
TOCHA, ALEXANDER WOLDEAB,
NATHALIE GRAHAM, and ALEXANDRA
CHEN,

Plaintiffs,

v.

CITY OF SEATTLE,

Defendant.

NO. 2:20-cv-00887

DECLARATION OF ROBERT L.
CHRISTIE

I, ROBERT L. CHRISTIE, hereby declare as follows:

1. I am over the age of eighteen years and am a citizen of the United States. I have personal knowledge of the facts set forth herein and am competent to testify to them at trial.

2. I am one of the attorneys of record for defendant in this matter.

3. I provided the following links to videos on Twitter to defendant's expert William Neale:

DECLARATION OF ROBERT L. CHRISTIE
(2:20-CV-00887) - 1

CHRISTIE LAW GROUP, PLLC
2100 WESTLAKE AVENUE N., SUITE 206
SEATTLE, WA 98109
206-957-9669

1 <https://twitter.com/daeshikjr/status/1287270463773609987?s=09>

2 <https://twitter.com/lukeryderrr/status/1287172224588214272>

3 https://twitter.com/NLG_Seattle/status/1287427693680582656

4 <https://twitter.com/SimoneReports/status/1287223999869497345?s=20>

5 4. Mr. Neale's firm Kineticcorp "stabilized" the above videos, inserted them onto
6 PowerPoint slides and shared the slide deck with me through a secure link.

7 5. I added to the PowerPoint presentation by creating a cover page and final page. I
8 also took screenshots of certain moments in some of the stabilized videos and added slides with
9 those images, in each case placing the slides before the actual video. I labelled each slide with the
10 Twitter link name to indicate the source for each video or screenshot. I also added a time reference
11 for each screenshot, some editorial comment, and some circles/squares/arrows for focus. The
12 videos and screenshot images are unaltered from the original source, other than the stabilization
13 as described in Mr. Neale's declaration and my obvious additions as described above.

14 6. A true and correct copy of the final version of the PowerPoint presentation is
15 attached hereto as **Exhibit A**. A PDF version of the PowerPoint presentation is attached hereto as
16 **Exhibit B**.

17 7. As required by a federal consent decree, Seattle Police Department has extensive
18 procedures to ensure the integrity of its internal force reporting and review systems. All uses of
19 force are reported by officers and reviewed by their chain of command. See section 8.400-8.500
20 of the Seattle Police Manual, available at <https://www.seattle.gov/police-manual/title-8>

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1 8. Under SPD Manual Section 8.500-POL-2(4), officers have 30 days from the date
2 force is used to complete their use of force reports and for sergeants to review. They can also
3 request extensions to this deadline.

4 9. For all serious uses of force, a supervisor or a team of specialized detectives
5 responds to the scene to investigate. SPM § 8.400-POL-4 & POL-5. In this context, serious force
6 means any force that causes or is reasonably expected to cause physical injury greater than
7 transitory pain. *See* SPM § 8.050. After each investigation is complete, SPD's Force Review
8 Board determines whether the force complied with policy, training, and tactics, and makes
9 recommendations, if necessary, for systemic changes. SPM § 8.500-POL-4. Throughout this
10 process, the chain of command and the Force Review Board both make referrals to the Office of
11 Police Accountability (OPA) for disciplinary investigations as appropriate. SPM § 8.500-POL-
12 4(10) & 5.002-POL-5 & POL-6.

13 10. OPA is an independent, civilian-led agency that investigates allegations of
14 misconduct against individual police officers. Accountability Ordinance, § 3.29.100(B) &
15 3.29.010(B). All of OPA's investigations are reviewed by the Office of Inspector General for
16 Public Safety which makes a determination as to whether the investigation was objective,
17 thorough, and timely. *Id.* § 3.29.240(C). Once OPA's investigation and the OIG's review are
18 complete, then OPA provides the Chief of Police with case analysis and recommended disciplinary
19 findings, if any. *Id.* § 3.29.135.

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DECLARATION OF ROBERT L. CHRISTIE
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1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct to the best of my knowledge and belief.

3 SIGNED in Seattle, Washington, this 29th day of July, 2020.

4
5 /s/ Robert L. Christie
6 ROBERT L. CHRISTIE
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DECLARATION OF ROBERT L. CHRISTIE
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Exhibit A is a PPT file on a CD
Submitted to the Clerk

EXHIBIT A

EXHIBIT B

Plaintiffs' submitted videos

Stabilized with isolated screen captures

Submitted by the City of Seattle

Black Lives Matter Seattle-King County et al v. City of Seattle

C20-887RAJ

Armed individual targeted with OC spray. 3:02



<https://twitter.com/daeshikjr/status/1287270463773609987?s=09>



Woman grabs and pulls backwards against baton and is sprayed. 6:86



<https://twitter.com/daeshikjr/status/1287270463773609987?s=09>

<https://twitter.com/daeshikjr/status/1287270463773609987?s=09>



LIVE

3.8k

Officer giving directions to move back. 2:10



<https://twitter.com/lukeryderr/status/1287172224588214272>

OC spray deployed in a targeted non-sweeping burst. 13:47



<https://twitter.com/lukeryderr/status/1287172224588214272>

LIVE

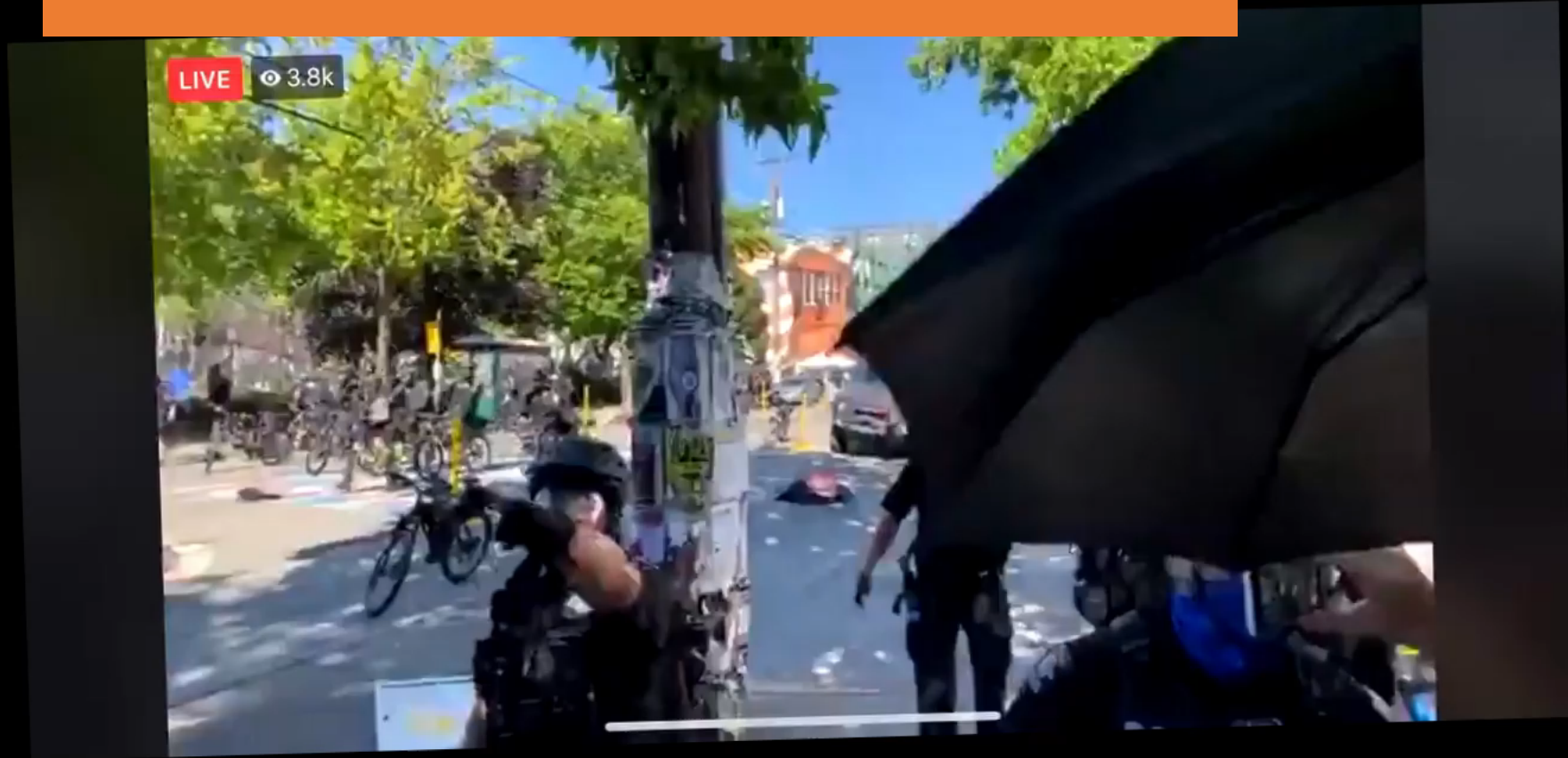
3.9k

Armored individual with leaf blower. 18:75



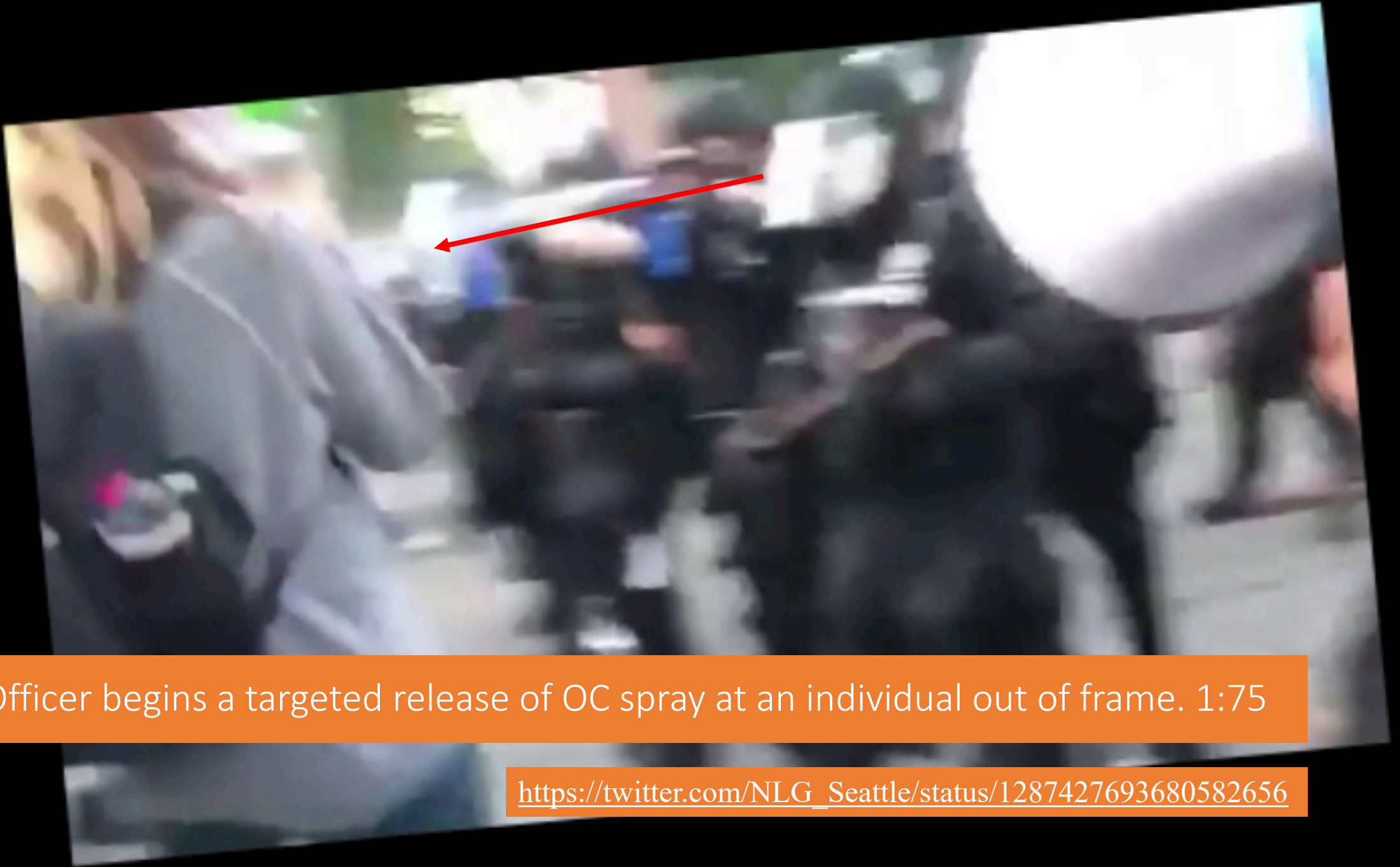
<https://twitter.com/lukeryderr/status/1287172224588214272>

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Legal Observer's starting position. 0:00

https://twitter.com/NLG_Seattle/status/1287427693680582656



Officer begins a targeted release of OC spray at an individual out of frame. 1:75

https://twitter.com/NLG_Seattle/status/1287427693680582656

Legal Observer moves left towards stream while filming. 2:28

Spray cloud to her left

https://twitter.com/NLG_Seattle/status/1287427693680582656



https://twitter.com/NLG_Seattle/status/1287427693680582656

A close-up shot of a woman with light brown hair tied back, wearing dark-rimmed glasses and a teal-colored shirt. She is looking slightly off-camera with a serious expression. In the background, a blurred crowd of people is visible, suggesting an outdoor public gathering or protest. The lighting is bright, indicating daytime.

Nurse was not providing medical aid.
She was de- arresting an individual.

Elise Barrett, Dkt. 54

<https://twitter.com/SimoneReports/status/1287223999869497345?s=20>



Dropping her backpack 6:70



Moving to engage the police 10:58



<https://twitter.com/SimoneReports/status/1287197567772553216?s=20>

OC spray deployed as she tries to de-arrest. 11:89



<https://twitter.com/SimoneReports/status/1287197567772553216?s=20>

Bottle thrown at officer involved. 13:66



<https://twitter.com/SimoneReports/status/1287197567772553216?s=20>



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Elise Barrett

- Q13 Fox Reporter: What were you trying to do in that moment before you go sprayed?
- Nurse: “Pull the guy away. I mean, I’ve seen footage from Hong Kong, of like, how you have to get people away from the cops because once they get them they arrest them, they brutalize them, they beat them, they look like, I saw the guy with the baton.....” “I saw the guy with the baton, I saw the guy they tried to drag down and thought no no, shit no. So yeah”